

**Remarks**

This Amendment is responsive to the Office Action of August 12, 2004. Reexamination and reconsideration of **claims 1-31** is respectfully requested.

**Summary of The Office Action**

**Claims 1-2, 6-9, 11-12, 14, 16-18, 20-22, 25-27, and 29-31** were rejected under 35 U.S.C. § 102(e) as being anticipated by Bowden, III et al. (U.S. Pat. No. 6,717,567).

**Claims 3-5, 10, 13, 15, 19, and 28** were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bowden, III et al. (U.S. Pat. No. 6,717,567) in view of Johanson et al. (U.S. Pub. No. 2003/0018744).

**Claims 23-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowden, III et al. (U.S. Pat. No. 6,717,567) in view of Khan et al. (U.S. Pat. No. 6,438,575).

**Objections to the Claims**

Claim 19 has been amended to correct the antecedent basis for the term “user” as identified by the Examiner.

**The Present Claims Patentably Distinguish Over the References of Record**

**Independent Claim 1**

Claim 1 is directed to a digital picture frame and has been amended to recite that the picture frame is configured as a digital image source where the wireless component being configured to transmit one or more selected digital images stored in the memory to a device external to the digital picture frame. Page 11, lines 3-12 of the present application, and claims 10 and 13 support the wireless component having transmission capability, for example. Thus, no new matter has been added.

The Office Action rejected the claimed digital picture frame with image transmission (e.g. dependent claims 10 and 13) under 35 U.S.C. § 103(a) as being unpatentable over Bowden, III et al. (U.S. Pat. No. 6,717,567) in view of Johanson et al. (U.S. Pub. No. 2003/0018744). In particular, the Office Action states that Bowden describes a digital picture frame but does not teach or suggest image transmission and uses Johanson to show that one of ordinary skill would provide an electronic device such as a digital picture frame with a transmitter. However, one of ordinary skill would have no motivation to make such a modification based on the teachings of the references.

For example, Johanson teaches displaying the location of nearby electronic devices using Bluetooth and GPS. Paragraph [0007] states that devices respond to a request signal by providing its GPS coordinates. There is nothing related to digital picture frames or transferring digital images. There is no relationship between providing GPS coordinates and transmitting digital images from a digital picture frame. Therefore, there is no teaching or suggestion from Johanson that a digital picture frame can be configured with a feature that wirelessly transmits images where the digital picture frame can be configured as a digital image source as recited in claim 1. Combining Johanson with Bowden, thus, still fails to teach or suggest claim 1.

Johanson, in paragraph [0007], describes a number of electronic devices that can have transceivers but does not consider digital picture frames. More importantly, Johanson fails to teach what to do with a digital picture frame such as being a digital image source that can wirelessly transmit images.

Furthermore, Bowden fails to provide any suggestion that a digital picture frame can be a digital image source. Bowden only mentions receiving images. Indeed, prior art digital picture frames have only been considered as destination devices, limited to receiving and displaying images. Bowden provides no suggestion contrary to this position and provides no suggestion to modify a digital picture frame to be an image source that can transmit images to an external device as recited in claim 1.

To further support this, Bowden teaches alternative embodiments that include less features that make its digital picture frame less sophisticated. For example column 2, lines 50-56 of Bowden state that the digital picture frame can be practiced without non-volatile memory. Of

course being only a destination device, there is no suggestion of being an image source as recited in present claim 1 or being able to transmit images to other devices.

For at least these reasons, one of ordinary skill in the art would have no motivation to modify the system of Bowden where the digital picture frame can be configured as a digital image source that can transmit images. Without a proper suggestion, the rejection under §103(a) is not supported and should be withdrawn. Johanson fails to cure the shortcomings of Bowden.

Since claim 1 recites features not taught or suggested by the references, alone or in combination, claim 1 patentably distinguishes over the references. Accordingly, dependent claims 2-12 also patentably distinguish over the references and are in condition for allowance.

Additionally, dependent claims 5 and 10 recite limitations relating to transmission of images. For the reasons stated above, the references fail to teach or suggest these features and claims 5 and 10 are in condition for allowance.

#### Independent Claim 15

Claim 15 has been rewritten into independent form and recites receiving a request to transfer a new digital picture and transmitting the new digital picture to an external device via a wireless transfer. For the reasons explained previously, Bowden and Johanson, alone or in combination, fail to teach or suggest features relating to transmitting images from a digital picture frame. Thus, the references fail to teach or suggest the claimed method implemented in a digital picture frame that receives a request to transfer and transmits a digital picture as recited in claim 15.

Since claim 15 recites features not taught or suggested by the references, alone or in combination, claim 15 patentably distinguishes over the references. Accordingly, dependent claims 16-21 also patentably distinguish over the references and are in condition for allowance.

Independent Claim 22

Claim 22 has been amended to recite a wireless updateable digital picture frame configured to function as a digital image source by selectively transmitting digital images to an external device. As previously described, Bowden only describes a digital picture frame that receives images and does not suggest transmitting images. Johanson teaches providing GPS coordinates. Thus, the references provide no suggestion to one of ordinary skill that would teach or make obvious claim 22.

Therefore, claim 22 patentably distinguishes over the references of record and is in condition for allowance. Accordingly, dependent claims 23-24 also patentably distinguish over the references and are in condition for allowance.

Independent Claim 25

Claim 25 has been amended to recite a computer readable medium that causes a controller to, in response to a request, wirelessly transmit a new digital picture to a selected destination device. The references, alone or in combination, fail to teach the claimed computer readable medium for similar reasons as previous described. Thus, claim 25 patentably distinguishes over the references of record and is in condition for allowance. Accordingly, dependent claims 26-28 also patentably distinguish over the references and are in condition for allowance.

Independent Claim 29


Claim 29 has been amended to recite a digital picture frame comprising means for selectively transmitting a digital image, via a wireless communication, to a selected external device where the digital picture frame functions as a digital image source. For the reasons explained previously, Bowden and Johanson, alone or in combination, fail to teach or suggest features relating to transmitting images from a digital picture frame. Thus, the references fail to teach or suggest the claimed digital picture frame as recited in claim 29.

Since claim 29 recites features not taught or suggested by the references, alone or in combination, claim 29 patentably distinguishes over the references. Accordingly, dependent claims 30-31 also patentably distinguish over the references and are in condition for allowance.

**Conclusion**

For the reasons set forth above, **claims 1-12 and 15-31** patentably and unobviously distinguish over the references of record and are now in condition for allowance. An early allowance of all claims is earnestly solicited.

Respectfully submitted,

 9-NOV-2004  
\_\_\_\_\_  
PETAR KRAGULJAC (Reg. No. 38,520)  
(216) 348-5843